

**IN THE UNITED STATES DISTRICT
COURT FOR THE EASTERN
DISTRICT OF VIRGINIA
Norfolk Division**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.2:17-cr-00126

DARYL G. BANK

Defendant.

**NOTICE OF DEFENDANT'S PROFFER OF EVIDENCE FOR
POTENTIAL APPELLATE REVIEW**

COMES NOW, the Defendant, by and through counsel, and to complete the record for any appellant review, if necessary proffers the following:

1. That on April 8, 2021, the witness, Raeann Gibson was asked a series of questions which were objected to by the government. The Court sustained the objections.
2. The evidence sought to be elicited from the witness would have been that Ms. Gibson's lawyer filed a position paper with the Court citing her advisory sentencing guideline range as 262-327 months if she had not accepted the plea agreement. That in fact she would be facing decades in prison. Additionally, that Ms. Gibson was indicted on 28 counts and that as a result of her plea agreement her sentencing exposure was significantly less, namely, 10 years.

Respectfully submitted,

DARYL G. BANK

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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of April, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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